

**§ 252.7 No-smoking sections.**

(a) Except as provided in paragraph (b) of this section, U.S. air carriers operating nonstop flight segments to which §§252.5 and 252.13 do not apply shall provide, at a minimum:

(1) A no-smoking section for each class of service;

(2) A sufficient number of seats in each no-smoking section to accommodate all persons in that class of service who wish to be seated there;

(3) Expansion of no-smoking sections to meet passenger demand; and

(4) Special provisions to ensure that if a no-smoking section is placed between smoking sections, the non-smoking passengers are not unreasonably burdened.

(b) On flights for which passengers may make confirmed reservations and on which seats are assigned before boarding, a U.S. air carrier need not provide a seat in a no-smoking section to a passenger who has not met the carrier's requirements as to time and method of obtaining a seat on the flight, or who does not have a confirmed reservation. If a seat is available in the established no-smoking section, however, a U.S. air carrier shall seat there any enplaning passenger who so requests, regardless of boarding time or reservation status.

**§ 252.9 Ventilation systems.**

U.S. air carriers shall prohibit smoking whenever the ventilation system is not fully functioning. Fully functioning for this purpose means operating so as to provide the level and quality of ventilation specified and designed by the manufacturer for the number of persons currently in the passenger compartment.

**§ 252.11 Aircraft on the ground.**

U.S. air carriers shall prohibit smoking whenever the aircraft is on the ground.

**§ 252.13 Small aircraft.**

U.S. air carriers shall prohibit smoking on aircraft designed to have a passenger capacity of less than 30 seats.

NOTE.— This section, like the rest of this part, does not apply to on-demand services of air taxi operators; see §252.3 in this part.

**§ 252.15 Cigars and pipes.**

U.S. air carriers shall prohibit the smoking of cigars and pipes aboard aircraft.

**§ 252.17 Enforcement.**

U.S. and foreign air carriers shall take such action as is necessary to ensure that smoking by passengers or crew is not permitted in the passenger cabin or lavatories on no-smoking flight segments. U.S. air carriers shall take such action as is necessary to ensure that smoking by passengers or crew is not permitted in no-smoking sections or at other times or places where smoking is prohibited by this part, and to maintain required separation of passengers in smoking and no-smoking areas.

**§ 252.19 Single-entity charters.**

On single-entity charters operated pursuant to §§207.50 or 208.300 of this title, U.S. air carriers need not comply with the procedures of part 252 if such a request is made by the charterer, provided that each passenger on such flights is given notice of the smoking procedures for the flight at the time he or she first makes arrangements to take the flight.

**PART 253—NOTICE OF TERMS OF CONTRACT OF CARRIAGE**

Sec.

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AUTHORITY: Secs. 204, 403, 404, and 411, Pub. L. 85-726, as amended, 72 Stat. 743, 758, 760, 769; 49 U.S.C. 1324, 1373, 1374, 1381.

SOURCE: ER-1302, 47 FR 52134, Nov. 19, 1982, unless otherwise noted.

**§ 253.1 Purpose.**

The purpose of this rule is to set uniform disclosure requirements, which preempt any State requirements on the same subject, for terms incorporated by reference into contracts of carriage